

Chapter No. 463  
10/HR03/R522SG  
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## ***HOUSE BILL NO. 572***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 572

AN ACT TO REQUIRE THE MISSISSIPPI TRANSPORTATION COMMISSION TO DONATE CERTAIN REAL PROPERTY LOCATED IN ATTALA COUNTY, MISSISSIPPI, TO THE CITY OF SALLIS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO GRANT AN EASEMENT TO EASTBROOKE II CONDOMINIUM ASSOCIATION ON CERTAIN STATE-OWNED REAL PROPERTY LOCATED IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** (1) The Mississippi Transportation Commission shall donate to the City of Sallis, all of the rights, title and interest in certain real property located within Attala County, described more specifically as follows:

**Parcel #1**

Commencing at a found iron grader blade locally accepted as the North East corner of the South East Quarter of Section 34, Township 14 North, Range 5 East of the Choctaw Meridian, Attalla County, Mississippi, thence with Grid bearings and Grid distances, South 0°54'31.4" East for 2487.03' to a point, thence South 89°29'31.4" East for 13.11' to a set iron rod and the Point of Beginning of the parcel herein described, said iron rod being located 40' easterly of the centerline of ROW established for MS State Highway 429 and 30' southerly of the centerline of ROW established for MS State Highway 431. Thence parallel with the centerline of Highway 431 run North 84°58'48.3" East for 483.75' to a set iron rod, thence leaving said ROW run South 1°25'43.1" East for 110.66' to a set iron rod 50' north of the railroad. Thence parallel with the centerline of

said railroad, and along a 50' ROW established for said railroad, run South 82°28'27.3" West for 118.60' to a set iron rod, thence continuing along said 50' ROW and with a curve to the right, said curve having a delta of 1°20'03.2", a radius of 11779.116', and a length of 274.295' (chord bearing South 83°08'28.9" West, chord length 274.289') to a set iron rod, thence continuing along said 50' ROW and a curve to the right, said curve having a delta of 2°04'19.6", a radius of 2630.000', and a length of 95.114' (chord bearing South 84°50'40.3" West, chord length 95.109') to a set iron rod, thence leaving said railroad ROW run North 0°00'30.5" West for 125.13' back to the Point of Beginning as described above.

Said Parcel #1 contains 1.332 acres and lies in the South West 1/4 of the South West 1/4 of Section 35, Township 14 North of Range 5 East and in the North West 1/4 of the North West 1/4 of Section 2, Township 13 North of Range 5 East, Choctaw Meridian, Attala County MS and is a portion of the property deeded to the Mississippi Transportation Commission, Mississippi Department of Transportation, Right of Way Division by the Illinois Central Railroad and recorded in Deed Book 575 at page 87 on file in the Chancery Clerk's Office in Attala County, MS.

#### **Parcel #2**

Commencing at a found iron grader blade locally accepted as the North East corner of the South East Quarter of Section 34, Township 14 North, Range 5 East of the Choctaw Meridian, Attala County, Mississippi, thence with Grid bearings and Grid distances, South 0°54'31.4" East for 2467.26' to a point, thence North 89°29'31.4" West for 66.58' to a nail and washer set in a paved

street and the Point of Beginning of the parcel herein described, said spindle being located 40' westerly of the centerline of ROW established for MS State Highway 429. Thence parallel with and along said 40' ROW established for Highway 429 run South  $0^{\circ}00'30.5''$  East (passing a iron rod set as a reference at 30.00') for 150.14' to a set iron rod which is 50' north of the railroad centerline. Thence parallel with the centerline of said railroad, and along a 50 foot ROW established for said railroad, run along a curve to the right, said curve having a delta of  $9^{\circ}27'48.4''$ , a radius of 2630.000', and a length of 449.438' (chord bearing North  $87^{\circ}28'41.2''$  West, chord length 448.892') to a set iron rod, thence continuing along said 50' ROW and with a curve to the right, said curve having a delta of  $5^{\circ}16'50.8''$ , a radius of 3317.000', and a length of 305.718' (chord bearing North  $79^{\circ}56'31.6''$  West, chord length 305.610') to a set iron rod, thence continuing along said 50' ROW run North  $77^{\circ}18'06.2''$  West for 55.50' to a set iron rod, thence leaving said railroad ROW and running along the ROW for a gravel road, said ROW being 15' northwest of the centerline of the gravel road, run North  $62^{\circ}47'56.3''$  East for 10.99' to a set iron rod, thence continuing along said ROW run North  $78^{\circ}12'56.3''$  East for 27.00' to a set iron rod, thence continuing along said ROW run North  $83^{\circ}32'56.3''$  East for 280.00' to the ROW of a paved street, thence with said paved street ROW run North  $53^{\circ}22'03.7''$  West for 24.00' to a set iron rod, thence continuing with said street ROW run North  $40^{\circ}42'03.7''$  West for 58.55' to a set iron rod which is 200' north of the railroad centerline. Thence parallel with the centerline of said railroad and along a 200' ROW of said railroad, along a curve to the left, said



curve having a delta of 2°08'53.6", a radius of 3167.000', and a length of 118.742' (chord bearing South 81°30'30.2" East, chord length 118.735') to a set iron rod, thence continuing along said 200' ROW and with a curve to the left, said curve having a delta of 9°56'03.7", a radius of 2480.000', and a length of 430.000' (chord bearing South 87°32'58.8" East, chord length 429.462') back to the Point of Beginning as described above.

Said Parcel #2 contains 2.132 acres and lies in the South East 1/4 of the South East 1/4 of Section 34, Township 14 North of Range 5 East and in the North East 1/4 of the North East 1/4 of Section 3, Township 13 North of Range 5 East, Choctaw Meridian, Attala County, MS and is a portion of the property deeded to the Mississippi Transportation Commission, Mississippi Department of Transportation, Right of Way Division by the Illinois Central Railroad and recorded in Deed Book 575 at page 87 on file in the Chancery Clerk's Office in Attala County, MS.

(2) The State of Mississippi shall retain all mineral rights in the property donated under subsection (1) of this section.

**SECTION 2.** The Department of Finance and Administration is authorized to grant an easement to Eastbrooke II Condominium Association (grantee) on two (2) tracts of state-owned real property for beautification purposes, fencing and the maintenance of current utilities located thereon. The benefit of this easement shall inure solely to the grantee and shall be revoked if and when the grantee sells or otherwise conveys its interest in the property. The granting of this easement shall at no time limit the State of Mississippi from any future use of its property for any purpose that is determined to be in the best interest of

the state. Such property is more particularly described as follows:

**TRACT 1**

**LEASE AREA 0.310 ACRES**

A tract or parcel of land containing 0.310 acres (13,521 Sq. Ft.), more or less, located in the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi and being more particularly described as follows, to wit:

**COMMENCING** at a concrete monument marking the Northwest Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi; thence, following the East Line of the aforesaid Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi, run South 00 degrees 21 minutes 00 seconds West for a distance of 661.33 feet (661.60 feet Deed) to a found iron rod and the **POINT OF BEGINNING** of the tract or parcel of land herein described; thence, leaving the East Line of the aforesaid Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi, run North 89 degrees 55 minutes 13 seconds West for a distance of 60.54 feet (North 89 degrees 52 minutes West 60.66 feet Deed) to a found iron rod; thence run South 05 degrees 44 minutes 42 seconds West for a distance of 118.98 feet (South 05 degrees 57 minutes West 118.72 feet Deed) to a found iron rod; thence run South 88 degrees 38 minutes 19 seconds West for a distance of 465.45 feet (South 88 degrees 24 minutes West 466.13 feet Deed) to a found iron rod; thence run South 89 degrees

02 minutes 02 seconds East for a distance of 535.51 feet to a set iron rod on the East Line of the aforesaid Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi; thence, following the East Line of the aforesaid Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi, run North 00 degrees 57 minutes 58 seconds East for a distance of 138.41 feet back to the **POINT OF BEGINNING**.

## **TRACT 2**

### **LEASE AREA 0.361 ACRES**

A tract or parcel of land containing 0.361 acres (15,718 Sq. Ft.), more or less, located in the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), and in the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi, and being more particularly described as follows, to wit:

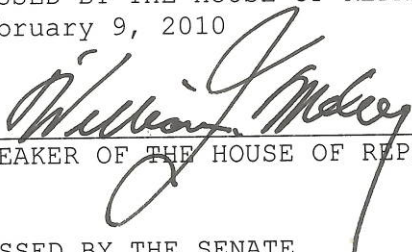
**BEGINNING** at a concrete monument marking the Northwest Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi; thence, following the East Line of the aforesaid Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 25, Township 6 North, Range 1 East, Hinds County, Mississippi, run South 00 degrees 21 minutes 00 seconds West for a distance of 661.33 feet (661.60 feet Deed) to a found iron rod; thence, run South 00 degrees 57 minutes 58 seconds West for a distance of 36.34 feet to a set iron rod at a fence; thence run along said fence, the following bearings and distances:



North 03 degrees 59 minutes 54 seconds East for a distance of 239.95 feet to a chain link fence post; North 03 degrees 41 minutes 50 seconds East for a distance of 105.47 feet to a found chain link fence post; North 05 degrees 09 minutes 16 seconds East for a distance of 99.70 feet to a chain link fence post; 0 North 03 degrees 55 minutes 48 seconds East for a distance of 136.38 feet to a chain link fence post; North 05 degrees 50 minutes 35 seconds East for a distance of 81.01 feet to a chain link fence post; North 48 degrees 55 minutes 32 seconds East for a distance of 26.83 feet to a set iron rod; thence North 73 degrees 30 minutes 35 seconds West for a distance of 68.53 feet back to the **POINT OF BEGINNING**.

**SECTION 3.** This act shall take effect and be in force from and after its passage.

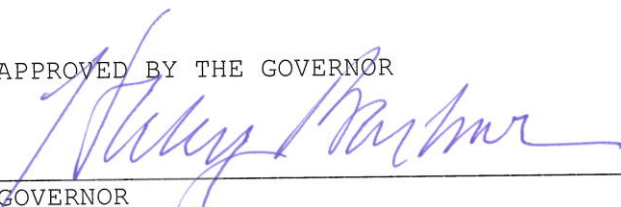
PASSED BY THE HOUSE OF REPRESENTATIVES  
February 9, 2010

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 9, 2010

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

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